AGILENT TECHNOLOGIES, INC. Legal Department, DL429 Intellectual Property Administration P. O. Box 7599

veland, Colorado 80537-0599

ATTORNEY DOCKET NO. 10030722×

ET NO. 10030722-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ventor(s): Jayati Ghosh et al.

Serial No.: 10/763,645

Examiner: ABDI, Amara

Filing Date: January 22, 2004

Group Art Unit: 2624

Title: Classification of pixels in a microarray image based on pixel intensities and a preview mode

facilitated by pixel-intensity-based pixel classification

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

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Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, May 2, 2008 , rejecting the following claims 1-9, 11 and 14-20

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(a)	Applica	int petitions for	n extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for	r the total
numbe	r of mon	ths checked be	DW:	
		one month	\$ 120.00	

two months three months	\$ 450.00 \$1020.00
four months ne extension fee	\$1590.00 has already been filled in this application.

(b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition

made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **50-1078** the sum of \$.5to... At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-1078** pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

☑ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: August 4, 2008

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

OR

Date of Facsimile:

Typed Name: Joanne Bourdwignon

Signature

Respectfully submitted,

Jayati Ghosh et al.

Βv

Robert W. Bergstrom

Attorney/Agent for Applicant(s)

Reg. No. 39,906

Date: August 4, 2008

Telephone No. 206.621.1933

08/06/2008 CHGUYEN2 00000021 501078 10763645 01 FC:1401 510.00 DA

AGILENT TECHNOLOGIES, INC. Legal Department, DL429 tellectual Property Administration o. Box 7599 Lordand, Colorado 80537-0599 AUG 0 6 2008 ventor(s): Jayati Ghosh et al. Serial No.: 10/763,645 Filing Date: January 22, 2004 facilitated by pixel-intensity-based pixel classification .COMMISSIONER FOR PATENTS P.O. Box 1450

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Alexandria VA 22313-1450	
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The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$500.00 (complete (a) or (b) a	
The proceedings herein are for a patent application and the partial (a) Applicant petitions for an extension of time under 37 number of months checked below:	
 □ one month \$ 120.00 □ two months \$ 450.00 □ three months \$1020.00 □ four months \$1590.00 	
☐ The extension fee has already been filled in this	application.
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-1	Respectfully submitted, Jayati Ghosh et al.
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	By Mines W. Bushim
Date of Deposit: August 4, 2008 OR	Robert W. Bergstrom Attorney/Agent for Applicant(s)
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Date of Facsimile:	Date: August 4, 2008
Typed Name: Joanne Bourguignon	Telephone No. 206.621.1933
Signature. CURN CULT AUG.	